

1 RIEMER & BRAUNSTEIN LLP
2 Alan L. Braunstein, Esq. (abraunstein@riemerlaw.com)
3 Three Center Plaza
4 Boston, Massachusetts 02108
5 Tel: (617) 523-9000
6 -and-
7 Steven E. Fox, Esq. (sfox@riemerlaw.com)
8 Brett J. Nizzo, Esq. (bnizzo@riemerlaw.com)
9 Times Square Tower, Suite 2506
10 Seven Times Square
11 New York, NY10036
12 Tel: (212) 789-3100
13 -and-
14
15

16 **LAW OFFICES OF MICHAEL W. CARMEL, LTD.**
17 Michael Carmel, Esq. #007356 (michael@mcarmellaw.com)
18 80 East Columbus Avenue
19 Phoenix, Arizona 85004
20 Tel: (602) 264-4965
21
22 Co-Counsel to the Debtor

23 UNITED STATES BANKRUPTCY COURT
24
25 DISTRICT OF ARIZONA
26
27

In re

SWIFT AIR, L.L.C.,

Debtor.

Case No. 2:12-bk-14362 DPC
Chapter 11

**NOTICE OF HEARING ON DEBTOR'S
EMERGENCY MOTION FOR ORDER (A)
AUTHORIZING AND APPROVING
DEBTOR'S ENTRY INTO A PLAN
FUNDING TERM SHEET WITH
BEACHSIDE CAPITAL, LLC; (B)
APPROVING TERMINATION FEE AND
EXCLUSIVITY PROVISIONS THEREOF;
AND (C) GRANTING OTHER RELATED
RELIEF**

**Hearing Date: May 21, 2013 @ 9:00 a.m. (PT)
Response Deadline: May 17, 2013 @ 4:00 p.m. (PT)**

28
29 NOTICE IS HEREBY GIVEN that a Hearing (the "Hearing") on the emergency motion (the
30 "Motion") of SWIFT AIR, L.L.C., debtor and debtor-in-possession herein (the "Debtor") seeking entry of
31 an order – on an emergency/expedited basis, inter alia: (a) authorizing the Debtor's entry into and
32 approving (subject to confirmation of the plan of reorganization) a plan funding term sheet (the "Plan
33 Funding Agreement"), by and among the Debtor and Beachside Capital, LLC (or a designee thereof, the

“Plan Funder”), which Plan Funding Agreement takes the form attached hereto as Exhibit A; (b) approving the termination fee and exclusivity provisions provided for in the Plan Funding Agreement with the Plan Funder; and (c) granting such other relief as may be appropriate in connection herewith, **shall be held on May 21, 2013 at 9:00 a.m. (PT), at the United States Bankruptcy Court, District of Arizona, 230 N. First Avenue, Phoenix, AZ 85003.**

RESPECTFULLY SUBMITTED this 13th day of May, 2013.

SWIFT AIR, L.L.C.

By its counsel,

RIEMER & BRAUNSTEIN LLP
Alan L. Braunstein
Three Center Plaza
Boston, Massachusetts 02108
Tel: (617) 523-9000
abraunstein@riemerlaw.com

-and-

Steven E. Fox, Esq.
Brett J. Nizzo, Esq.
Times Square Tower, Suite 2506
Seven Times Square
New York, NY10036
Tel: (212) 789-3100
sfox@riemerlaw.com
bnizzo@riemerlaw.com

-and-

LAW OFFICES OF MICHAEL W.
CARMEL, LTD

/s/ Michael Carmel
Michael Carmel, Esq. #007356
80 East Columbus Avenue
Phoenix, Arizona 85004
Tel: (602) 264-4965
michael@mcarmellaw.com

1559868.1